

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

JILLIAN J. WILSON
a.k.a. JILLIAN JANE WILSON
a.k.a. CHRISTINA WILSON
1600 Response Road, Apt 3018
Sacramento, CA 95015

206 Selby Ranch Rd, Apt 6
Sacramento, CA 95864

Respondent

Case No. 2009-251

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **January 14, 2010**.

IT IS SO ORDERED **December 14, 2009**.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR.
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
4 State Bar No. 209545
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6 Telephone: (916) 322-8311
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
12 Against:

Case No.2009-251

13 **STIPULATED SETTLEMENT AND**
14 **DISCIPLINARY ORDER**

13 **JILLIAN J. WILSON**
14 **aka JILLIAN JANE WILSON**
15 **aka CHRISTINA WILSON**
16 1600 Response Road, Apt. 3018
Sacramento, CA 95015

16 Respondent.

17
18 In the interest of a prompt and speedy settlement of this matter, consistent with the public
19 interest and the responsibility of the Board of Registered Nursing of the Department of Consumer
20 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order
21 which will be submitted to the Board for approval and adoption as the final disposition of the
22 Statement of Issues.

23 **PARTIES**

24 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the
25 Board of Registered Nursing. She brought this action solely in her official capacity and is
26 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
27 by Anahita S. Crawford, Deputy Attorney General.
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2. Respondent Jill Wilson (Respondent) is represented in this proceeding by attorney William J. Portanova, whose address is 400 Capitol Mall #1100, Sacramento, CA 95814.

3. On or about October 31, 2008, Respondent filed an application dated October 15, 2008, with the Board of Registered Nursing to obtain Registered Nurse's License by Examination.

JURISDICTION

4. Statement of Issues No. 2009-251 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Statement of Issues and all other statutorily required documents were properly served on Respondent on June 16, 2009. Respondent timely filed her Notice of Defense contesting the Statement of Issues. A copy of Statement of Issues No. 2009-251 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Statement of Issues No. 2009-251. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Statement of
3 Issues No. 2009-251.

4 9. Respondent agrees that her application for licensure by examination is subject to
5 denial and she agrees to be bound by the Board of Registered Nursing (Board)'s imposition of
6 discipline as set forth in the Disciplinary Order below.

7 CIRCUMSTANCES IN MITIGATION

8 10. Respondent Jill Wilson has never been the subject of any disciplinary action. She is
9 admitting responsibility at an early stage in the proceedings. She has been compliant with
10 criminal probation and has continued to take classes and work within the nursing profession.

11 CONTINGENCY

12 11. This stipulation shall be subject to approval by the Board of Registered Nursing.
13 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
14 Registered Nursing may communicate directly with the Board regarding this stipulation and
15 settlement, without notice to or participation by Respondent or her counsel. By signing the
16 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
17 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
18 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
19 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
20 action between the parties, and the Board shall not be disqualified from further action by having
21 considered this matter.

22 12. The parties understand and agree that facsimile copies of this Stipulated Settlement
23 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and
24 effect as the originals.

25 13. In consideration of the foregoing admissions and stipulations, the parties agree that
26 the Board may, without further notice or formal proceeding, issue and enter the following
27 Disciplinary Order:

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DISCIPLINARY ORDER

IT IS HEREBY ORDERED

The application of Respondent Jill Wilson for licensure is hereby granted. Upon successful completion of the licensure examination and all other licensing requirements, a license shall be issued to Respondent. Said license shall immediately be revoked, the order of revocation stayed and Respondent placed on probation for a period of three (3) years on the following conditions:

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program.** Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

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1 3. **Report in Person.** Respondent, during the period of probation, shall appear in
2 person at interviews/meetings as directed by the Board or its designated representatives.

3 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or
4 practice as a registered nurse outside of California shall not apply toward a reduction of this
5 probation time period. Respondent's probation is tolled, if and when she resides outside of
6 California. Respondent must provide written notice to the Board within 15 days of any change of
7 residency or practice outside the state, and within 30 days prior to re-establishing residency or
8 returning to practice in this state.

9 Respondent shall provide a list of all states and territories where she has ever been licensed
10 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
11 information regarding the status of each license and any changes in such license status during the
12 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
13 license during the term of probation.

14 5. **Submit Written Reports.** Respondent, during the period of probation, shall
15 submit or cause to be submitted such written reports/declarations and verification of actions under
16 penalty of perjury, as required by the Board. These reports/declarations shall contain statements
17 relative to Respondent's compliance with all the conditions of the Board's Probation Program.
18 Respondent shall immediately execute all release of information forms as may be required by the
19 Board or its representatives.

20 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
21 state and territory in which she has a registered nurse license.

22 6. **Function as a Registered Nurse.** Respondent, during the period of probation,
23 shall engage in the practice of registered nursing in California for a minimum of 24 hours per
24 week for six consecutive months or as determined by the Board.

25 For purposes of compliance with the section, "engage in the practice of registered nursing"
26 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
27 non-direct patient care position that requires licensure as a registered nurse

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1 The Board may require that advanced practice nurses engage in advanced practice nursing
2 for a minimum of 24 hours per week for six consecutive months or as determined by the Board.

3 If Respondent has not complied with this condition during the probationary term, and
4 Respondent has presented sufficient documentation of her good faith efforts to comply with this
5 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
6 extension of Respondent's probation period up to one year without further hearing in order to
7 comply with this condition. During the one year extension, all original conditions of probation
8 shall apply.

9 **7. Employment Approval and Reporting Requirements.** Respondent shall obtain
10 prior approval from the Board before commencing or continuing any employment, paid or
11 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
12 performance evaluations and other employment related reports as a registered nurse upon request
13 of the Board.

14 Respondent shall provide a copy of this Decision to her employer and immediate
15 supervisors prior to commencement of any nursing or other health care related employment.

16 In addition to the above, Respondent shall notify the Board in writing within seventy-two
17 (72) hours after she obtains any nursing or other health care related employment. Respondent
18 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
19 separated, regardless of cause, from any nursing, or other health care related employment with a
20 full explanation of the circumstances surrounding the termination or separation.

21 **8. Supervision.** Respondent shall obtain prior approval from the Board regarding
22 Respondent's level of supervision and/or collaboration before commencing or continuing any
23 employment as a registered nurse, or education and training that includes patient care.

24 Respondent shall practice only under the direct supervision of a registered nurse in good
25 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
26 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
27 approved.

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Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours Respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with Respondent at least twice during each shift worked.

(d) Home Health Care - If Respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with Respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by Respondent with or without Respondent present.

9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict Respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

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Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term.

Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to Respondent after photocopying them for its records.

11. **Violation of Probation.** If Respondent violates the conditions of her probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

12. **License Surrender.** During Respondent's term of probation, if she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, Respondent may surrender her license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A registered nurse whose license

1 has been surrendered may petition the Board for reinstatement no sooner than the following
2 minimum periods from the effective date of the disciplinary decision:

3 (1) Two years for reinstatement of a license that was surrendered for any reason other
4 than a mental or physical illness; or

5 (2) One year for a license surrendered for a mental or physical illness.

6 13. **Physical Examination.** Within 45 days of the effective date of this Decision,
7 Respondent, at her expense, shall have a licensed physician, nurse practitioner, or physician
8 assistant, who is approved by the Board before the assessment is performed, submit an
9 assessment of the Respondent's physical condition and capability to perform the duties of a
10 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
11 medically determined, a recommended treatment program will be instituted and followed by the
12 Respondent with the physician, nurse practitioner, or physician assistant providing written reports
13 to the Board on forms provided by the Board.

14 If Respondent is determined to be unable to practice safely as a registered nurse, the
15 licensed physician, nurse practitioner, or physician assistant making this determination shall
16 immediately notify the Board and Respondent by telephone, and the Board shall request that the
17 Attorney General's office prepare an accusation or petition to revoke probation. Respondent shall
18 immediately cease practice and shall not resume practice until notified by the Board. During this
19 period of suspension, Respondent shall not engage in any practice for which a license issued by
20 the Board is required until the Board has notified Respondent that a medical determination
21 permits Respondent to resume practice. This period of suspension will not apply to the reduction
22 of this probationary time period.

23 If Respondent fails to have the above assessment submitted to the Board within the 45-day
24 requirement, Respondent shall immediately cease practice and shall not resume practice until
25 notified by the Board. This period of suspension will not apply to the reduction of this
26 probationary time period. The Board may waive or postpone this suspension only if significant,
27 documented evidence of mitigation is provided. Such evidence must establish good faith efforts

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1 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
2 Only one such waiver or extension may be permitted.

3 **14. Participate in Treatment/Rehabilitation Program for Chemical Dependence.**

4 Respondent, at her expense, shall successfully complete during the probationary period or shall
5 have successfully completed prior to commencement of probation a Board-approved
6 treatment/rehabilitation program of at least six months duration. As required, reports shall be
7 submitted by the program on forms provided by the Board. If Respondent has not completed a
8 Board-approved treatment/rehabilitation program prior to commencement of probation,
9 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a program.
10 If a program is not successfully completed within the first nine months of probation, the Board
11 shall consider Respondent in violation of probation.

12 Based on Board recommendation, each week Respondent shall be required to attend at least
13 one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous,
14 Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board.
15 If a nurse support group is not available, an additional 12-step meeting or equivalent shall be
16 added. Respondent shall submit dated and signed documentation confirming such attendance to
17 the Board during the entire period of probation. Respondent shall continue with the recovery plan
18 recommended by the treatment/rehabilitation program or a licensed mental health examiner
19 and/or other ongoing recovery groups.

20 **15. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall
21 completely abstain from the possession, injection or consumption by any route of all controlled
22 substances and all psychotropic (mood altering) drugs, including alcohol, except when the same
23 are ordered by a health care professional legally authorized to do so as part of documented
24 medical treatment. Respondent shall have sent to the Board, in writing and within fourteen (14)
25 days, by the prescribing health professional, a report identifying the medication, dosage, the date
26 the medication was prescribed, the Respondent's prognosis, the date the medication will no
27 longer be required, and the effect on the recovery plan, if appropriate.

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1 Respondent shall identify for the Board a single physician, nurse practitioner or physician
2 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and
3 monitor any prescriptions for Respondent for dangerous drugs, controlled substances or mood-
4 altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report
5 to the Board on a quarterly basis Respondent's compliance with this condition. If any substances
6 considered addictive have been prescribed, the report shall identify a program for the time limited
7 use of any such substances.

8 The Board may require the single coordinating physician, nurse practitioner, or physician
9 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
10 medicine.

11 16. **Submit to Tests and Samples.** Respondent, at her expense, shall participate in a
12 random, biological fluid testing or a drug screening program which the Board approves. The
13 length of time and frequency will be subject to approval by the Board. Respondent is responsible
14 for keeping the Board informed of Respondent's current telephone number at all times.
15 Respondent shall also ensure that messages may be left at the telephone number when she is not
16 available and ensure that reports are submitted directly by the testing agency to the Board, as
17 directed. Any confirmed positive finding shall be reported immediately to the Board by the
18 program and Respondent shall be considered in violation of probation.

19 In addition, Respondent, at any time during the period of probation, shall fully cooperate
20 with the Board or any of its representatives, and shall, when requested, submit to such tests and
21 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
22 hypnotics, dangerous drugs, or other controlled substances.

23 If Respondent has a positive drug screen for any substance not legally authorized and not
24 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
25 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
26 practice pending the final decision on the petition to revoke probation or the accusation. This
27 period of suspension will not apply to the reduction of this probationary time period.

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1 If Respondent fails to participate in a random, biological fluid testing or drug screening
2 program within the specified time frame, Respondent shall immediately cease practice and shall
3 not resume practice until notified by the Board. After taking into account documented evidence
4 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may
5 suspend Respondent from practice pending the final decision on the petition to revoke probation
6 or the accusation. This period of suspension will not apply to the reduction of this probationary
7 time period.

8 17. **Mental Health Examination.** Respondent shall, within 45 days of the effective
9 date of this Decision, have a mental health examination including psychological testing as
10 appropriate to determine her capability to perform the duties of a registered nurse. The
11 examination will be performed by a psychiatrist, psychologist or other licensed mental health
12 practitioner approved by the Board. The examining mental health practitioner will submit a
13 written report of that assessment and recommendations to the Board. All costs are the
14 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
15 result of the mental health examination will be instituted and followed by Respondent.

16 If Respondent is determined to be unable to practice safely as a registered nurse, the
17 licensed mental health care practitioner making this determination shall immediately notify the
18 Board and Respondent by telephone, and the Board shall request that the Attorney General's
19 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
20 practice and may not resume practice until notified by the Board. During this period of
21 suspension, Respondent shall not engage in any practice for which a license issued by the Board
22 is required, until the Board has notified Respondent that a mental health determination permits
23 Respondent to resume practice. This period of suspension will not apply to the reduction of this
24 probationary time period.

25 If Respondent fails to have the above assessment submitted to the Board within the 45-day
26 requirement, Respondent shall immediately cease practice and shall not resume practice until
27 notified by the Board. This period of suspension will not apply to the reduction of this
28 probationary time period. The Board may waive or postpone this suspension only if significant,

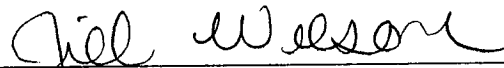
1 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
2 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
3 Only one such waiver or extension may be permitted.

4 18. **Therapy or Counseling Program.** Respondent, at her expense, shall participate
5 in an on-going counseling program until such time as the Board releases her from this
6 requirement and only upon the recommendation of the counselor. Written progress reports from
7 the counselor will be required at various intervals.

8 ACCEPTANCE


9 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
10 discussed it with my attorney, William J. Protanova. I understand the stipulation and the effect it
11 will have on my Registered Nurse's License. I enter into this Stipulated Settlement and
12 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
13 Decision and Order of the Board of Registered Nursing.

14
15 DATED: 8-26-09


16 JILL WILSON
Respondent

17 I have read and fully discussed with Respondent Jill Wilson the terms and conditions and
18 other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its
19 form and content.

20 DATED: 8/25/09


21 William J. Protanova
22 Attorney for Respondent
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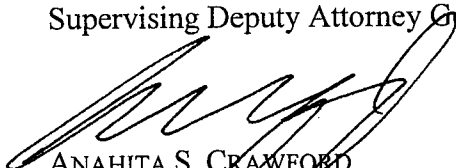
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 8/31/09

Respectfully Submitted,

EDMUND G. BROWN JR.
Attorney General of California
JANICE K. LACHMAN
Supervising Deputy Attorney General


ANAHITA S. CRAWFORD
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 03579

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD, State Bar No. 209545
Deputy Attorney General
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P.O. Box 944255
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6 Facsimile: (916) 327-8643

7 Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues Against:

Case No. 2009-251

13 **JILLIAN J. WILSON**
14 **aka JILLIAN JANE WILSON**
aka CHRISTINA WILSON
15 1600 Response Road, Apt. 3018
Sacramento, California 95015

STATEMENT OF ISSUES

16 Applicant/Respondent.

17
18 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Statement of Issues solely in her official capacity
21 as the Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
22 Affairs.

23 **License History**

24 2. On or about October 31, 2008, the Board received an Application for
25 Licensure by Examination from Jillian J. Wilson, also known as Jillian Jane Wilson and
26 also known as Christina Wilson ("Respondent"). On or about October 15, 2008, Respondent
27 certified under penalty of perjury to the truthfulness of all statements, answers, and
28 representations in the application. The Board denied the application on January 28, 2009.

STATUTORY PROVISIONS

3. Section 2736 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may deny a license when it finds that the applicant has committed any acts constituting grounds for denial of licensure under section 480 of that Code.

4. Code section 480 states, in pertinent part:

(a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

(3)(A) Done any act that if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

5. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, . . .

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

6. Section 2762 of the Code states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

1 (c) Be convicted of a criminal offense involving the
2 prescription, consumption, or self-administration of any of the substances
3 described in subdivisions (a) and (b) of this section, or the possession of,
4 or falsification of a record pertaining to, the substances described in
5 subdivision (a) of this section, in which event the record of the conviction
6 is conclusive evidence thereof.

7 FIRST CAUSE FOR DENIAL OF APPLICATION

8 (Criminal Conviction)

9 7. Respondent's application is subject to denial under Code sections 2736,
10 2761, subdivision (f), and 480, subdivision (a)(1), in that on or about September 2, 2008, in the
11 case entitled, *People of the State of California v. Jillian Jane Wilson* (Super. Ct. Sacramento
12 County, 2008, Case No. 08T04564), Respondent was convicted on her plea of nolo contendere of
13 violating one count of Vehicle Code section 23152, subdivision (a), with a special allegation of
14 Vehicle Code section 23578 (Driving Under the Influence of Alcohol with a Level of .15% or
15 More Blood Alcohol Content [.23%]). The circumstances of the crime are that on July 9, 2008,
16 Respondent did willfully and unlawfully drive a motor vehicle with a concentration of alcohol in
17 her blood of .15 percent or more by weight. Such crime is substantially related to the
18 qualifications, functions and duties of registered nurse.

19 SECOND CAUSE FOR DENIAL OF APPLICATION

20 (Used an Alcoholic Beverage in a Manner Dangerous)

21 8. Respondent's application is subject to denial under Code section 2761,
22 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,
23 subdivision (b), in that Respondent used an alcoholic beverage in a manner dangerous or injurious
24 to herself, any other person, or the public, as set forth in paragraph 7, above

25 THIRD CAUSE FOR DENIAL OF APPLICATION

26 (Criminal Conviction Involving an Alcoholic Beverage)

27 9. Respondent's application is subject to denial under Code section 2761,
28 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,
subdivision (c), in that Respondent was convicted of a crime involving an alcoholic beverage, as
set forth in paragraph 7, above.

1 FOURTH CAUSE FOR DENIAL OF APPLICATION

2 (Any Acts by a Licentiate)

3 10. Respondent's application is subject to denial under Code sections 2736 and
4 480, subdivision (a)(3)(A), in that Respondent committed acts that if done by a licentiate of the
5 business or profession, would be grounds for suspension or revocation of a license, pursuant to
6 Code section 2761, subdivision (a), as defined in Code section 2762, subdivisions (b) and (c), and
7 Code section 2761, subdivision (f), as set forth in paragraph 7, above.


8 PRAYER

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein
10 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

11 1. Denying the application of Jillian J. Wilson, also known as Jillian Jane
12 Wilson and Jillian Wilson; and

13 2. Taking such other and further action as deemed necessary and proper.

14 DATED: 4/16/09

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17 RUTH ANN TERRY, M.P.H., R.N.
18 Executive Officer
19 Board of Registered Nursing
20 Department of Consumer Affairs
21 State of California
22 Complainant
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